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OFFICE OF PETITIONS

In re Application of :
Roberts :
Application No. 10/678,702 : **ON PETITION**
Filed: October 3, 2003 :
Attorney Docket No. G0083.70038US00 :
For: AUTOMATIC DATA CAPTURE :
TECHNOLOGY TO ENHANCE DATA :
COLLECTION :

This is a decision on the petition under 37 CFR 1.137(b), filed on September 2, 2005 (certificate of mailing date August 31, 2005) to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the February 1, 2005 non-final Office action which set an extendable three (3) month period for reply. No extensions of time having been obtained pursuant to 37 CFR 1.136(a) and no reply being received in the Office, this application became abandoned on May 2, 2005. A Notice of Abandonment was mailed on August 18, 2005.

Applicant has submitted an amendment in reply to the February 1, 2005 non-final Office action, an acceptable statement of the unintentional nature of the delay in responding to the February 1, 2005 non-final Office action, and the petition fee.

The petition is **GRANTED**.

Regarding finances, pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the \$1,020.00 extension of time fee submitted with the petition on September 2, 2005 (certificate of mailing date August 31, 2005) was subsequent to the maximum period obtainable for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

After the mailing of this decision the application will be forwarded to Technology Center 3600's technical support staff for processing the amendment filed on September 2, 2005 (certificate of mailing date August 31, 2005).

Telephone inquiries pertaining to this decision may be directed to the undersigned at (571) 272-3230.

A handwritten signature in cursive script, appearing to read "E. Shirene Willis".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions